

the regulations established pursuant to paragraphs (1) and (2) to ensure that these regulations result in full compensation to the government for transferred resources. Such reviews shall occur no less frequently than once every 2 years, and the results of such reviews shall be reported to the House Transportation and Infrastructure Committee and the Senate Homeland Security and Governmental Affairs Committee.”.

SEC.—111. DEFINITIONS.

In this title:

(1) **DIRECTOR.**—The term “director” means the director of the National Alert Office.

(2) **OFFICE.**—The term “Office” means the National Alert Office established by section —105.

(3) **NATIONAL ALERT SYSTEM.**—The term “National Alert System” means the National Alert System established by section —102.

(4) **NOAA.**—The term “NOAA” means the National Oceanic and Atmospheric Administration.

(5) **NON-COMMERCIAL SUSTAINING ANNOUNCEMENT PROGRAM.**—The term “Non-Commercial Sustaining Announcement Program” means a radio and television campaign conducted for the benefit of a nonprofit organization or government agency using unsold commercial air time donated by participating broadcast stations for use in such campaigns, and for which the campaign’s sponsoring organization or agency funds the cost of underwriting programs that serve the public convenience, interest, and necessity, as described in section 307 of the Communications Act of 1934 (47 U.S.C. 307).

(6) **WORKING GROUP.**—The term “Working Group” means the National Alert System Working Group on the established under section —106.

SEC.—112. SAVINGS CLAUSE.

Nothing in this title shall interfere with or supersede the authorities, missions, programs, operations, or activities of the Federal Communications Commission or the Department of Commerce, including those of the National Oceanic and Atmospheric Administration, the National Institute of Standards and Technology, and the National Telecommunications and Information Administration.

SEC.—113. FUNDING.

Funding for this title shall be provided from the Digital Transition and Public Safety Fund in accordance with section 3010 of the Digital Television Transition and Public Safety Act of 2005 (47 U.S.C. 309 note).

SA 4928. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 4954, to improve maritime and cargo security through enhanced layered defenses, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PILOT PROGRAM TO EXTEND CERTAIN COMMERCIAL OPERATIONS.

(a) **IN GENERAL.**—During fiscal year 2007, the Commissioner shall extend the hours of commercial operations at the port of entry located at Santa Teresa, New Mexico, to a minimum of 16 hours a day.

(b) **REPORT.**—The Commissioner shall submit a report to the appropriate congressional committees not later than September 30, 2007, with respect to the extension of hours of commercial operations described in subsection (a). The report shall include

(1) an analysis of the impact of the extended hours of operation on the port facility, staff, and trade volume handled at the port; and

(2) recommendations regarding whether to extend such hours of operation beyond fiscal year 2007.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that the hearing scheduled before the Committee on Energy and Natural Resources for Tuesday, September 12th at 10 a.m. has been relocated to room SD-106.

The purpose of the hearing is to receive testimony relating to the effects of the BP pipeline failure in the Prudhoe Bay Oil Field on U.S. oil supply and to examine what steps may be taken to prevent a recurrence of such an event.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150.

For further information, please contact Dick Bouts or Sara Zecher.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Monday, September 11, 2006, at 2 p.m., in 215 Dirksen Senate Office Building, to hear testimony on “NAFTA at Year Twelve.”

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. BAUCUS. Mr. President, I ask unanimous consent that the following interns with the Finance Committee staff be allowed on the Senate floor today and for the duration of the debate on the Port Security Improvement Act: John Lageson, Tory Cyr, and Brett Youngerman.

The PRESIDENT pro tempore. Without objection, it is so ordered.

REMEMBERING SEPTEMBER 11, 2001

Mr. FRIST. Mr. President, about an hour ago a number of Members of the House and the Senate, principally leadership, participated in a wreath-laying ceremony by the President at the Pentagon. The President has participated over the last 48 hours in similar events in New York, earlier today in Pennsylvania, and later at the Pentagon today.

A number of colleagues have come to the Senate to offer statements in remembrance of that day 5 years ago and

that question of: What were you doing? Whom did you talk to? What were your memories? Whom were you with? This is a familiar question and one we have all gone back over the course of the last several days and thought about.

I remember where I was. I remember exactly what I was doing. I remember whom I was with. I was across the street in the Russell Building with my chief of staff, Emily Reynolds, at the time, who is now Secretary of the Senate. We were in a meeting with a colleague of mine, Senator HUTCHISON, talking over issues, when a member of her staff came in and told us that a plane had struck the Twin Towers.

At that time, it was thought initially to be a corporate plane, but as a pilot it was very clear to me that would not have happened by accident. While our discussion continued for a few moments, someone wheeled in a television, and then, dumbstruck, we watched that second plane strike the tower. Shortly thereafter, of course, we heard there was smoke coming from the Pentagon, where we were a few moments ago. Clearly, we were under attack.

I remember my first phone call home. We all remember our phone calls, reaching out to touch others whom we loved. I called my wife Karyn. Immediately, we talked about what should be done with our three boys who were at school in Washington, DC.

Of course, later that afternoon, we were standing on the steps of the Capitol with so many of our colleagues, spontaneously, together, breaking out in “God Bless America,” to let the world know that America will not cower to such terrorism. Indeed, in about 30 minutes, a number of our colleagues from both the House and the Senate will, once again, go to those Senate steps.

Those are the moments that are indelibly etched into my mind in terms of where I was and whom I was with. But it really goes out to the people we were just with over at the Pentagon, as I talked to one man I never met before whom, as we were waiting just prior to the ceremony, I turned to and introduced myself. He told me his story, his story of Amelia, who, on her second day of work, indeed, her birthday, September 11, 5 years ago, at the Pentagon was struck and died. And then there are the images of all the first responders—the law enforcement, the firefighters, the police, and the volunteers—and the family responses. All of those feelings come tumbling in.

Nearly 3,000 Americans lost their lives to those vicious acts of terror that day. The attacks shattered the longstanding illusions I had through my entire life of safety and security, at least in this great country of ours. Indeed, we found ourselves hard pressed on every side but not crushed; perplexed but not in despair; persecuted but not abandoned; struck down but not destroyed.

Instead, we pressed on, pushing every hindrance aside with resolve, calling upon our most fundamental beliefs about America, many going back over the ensuing days addressing what makes us uniquely American.

We pressed on, coming together and sending forth thousands of those first responders, thousands of those policemen, paramedics, construction workers, and other rescue workers to Ground Zero and the Pentagon.

I remember a few days after the Pentagon was struck going out and welcoming an entire delegation of first responders from Tennessee, with that American flag displayed so proudly and that Tennessee flag right next to it.

We pressed on, facing down that economic shock and developing new respect for our economy's natural resilience and a new respect for the economy's ability and resiliency to bounce back.

We pressed on, immediately in this body, addressing issues of intelligence, of making sure we not only mobilized our troops but we supported them with the very best equipment that we could.

We pressed on by taking the fight to the enemy because we knew that if we did not, that fight would come to us.

With the passage of 5 years' time, some things begin, inevitably, to blur. That is why in some ways it is so useful to have remembrances like what we have had over the course of today.

We forget a time when we had a great fear of even boarding airplanes. We forget a time when we held our children—and those days, weeks, and months afterwards; it was so, so, so close—but we forget that time of holding our kids just a little bit longer with that hug before they went off to school. And we forget a time when we felt that hatred in the heart of our enemy. The feelings that were once so vivid, so sharp—that shock, that anger, that fury—the fear began to lose the jagged edge with time. In part, that is part of this Nation's healing—coming together, responding in a healing way to a catastrophe—because we should not live in fear. We cannot be a nation that lives in fear. Salesmen go out traveling on business, families who are out traveling on vacations should not fear boarding that plane to fly. Parents loading their children on a bus, they should not fear sending them off to school.

But there is also a danger in forgetting. There is a danger in having time pass and letting those memories fade because as time fades we also start to forget the enemy who took those 3,000 lives so prematurely. We forget the intentions they harbor and the agenda they champion.

There was a stark reminder for me yesterday, as I joined Senator McCONNELL and Senator SPECTER, as we went to Guantanamo Bay, to the detention facility there. And when you walk those grounds—a remarkable place in and of itself and the entity itself in terms of treating those detainees in a

safe and humane way, which is very possible—in walking those grounds, it causes you to think back to 5 years ago, to what precipitated that event which caused the loss of 3,000 and destroyed the lives of so many thousands of others.

We cannot become complacent because if we do, we will be struck again. Our enemy remembers. Our enemy plans. And I was reminded again and again yesterday, as I toured those grounds, our enemy continues to plan, continues to plot, continues to conspire—conspires to see us lose in Iraq, plots to drive us out of Afghanistan, plans to attack us here, right here, again in the United States. We know that because over these last 5 years, at least 11 times such plots have been promoted. That is why we cannot afford to grow complacent. We cannot afford to let our resolve waiver. We have to continue to press on. We have to continue to strengthen our security.

That is why on this floor, in the bill that has been talked about this afternoon and the bills we will address over the coming days, we are focusing on a security agenda. It is an agenda that includes replenishing our critical supplies for troops on the ground—we just finished the Department of Defense appropriations bill on the Senate floor last week—eliminating vulnerabilities and closing the gaps in port security, the bill on the floor today; and, indeed, in the near future, creating military commissions to try the enemy combatants, the terrorists who are captured on the field of battle, and bolstering the terrorist surveillance program to make sure our law enforcement and our Government are appropriately equipped to be able to detect terrorism before an event happens.

Here in the Senate we have worked tirelessly to ease the burden on our memories. That is why we are safer now than we were 5 years ago. Consider there has not been a successful terrorist attack against the homeland.

But safety and security are not static points in time. They are not static statistics. They are dynamic, in constant flux. So as we take time today to remember the horror as well as the courageous actions of 5 years ago, let us also remember there is much more we can and we must do to bring the terrorists to justice and to ensure the events of 9/11 are never repeated.

EXPRESSING THE SENSE OF THE SENATE UPON THE FIVE-YEAR ANNIVERSARY OF THE TERRORIST ATTACKS AGAINST THE UNITED STATES ON SEPTEMBER 11, 2001

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 565, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 565) expressing the sense of the Senate upon the five-year anniversary of the terrorist attacks against the United States on September 11, 2001.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 565) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 565

Whereas on September 11, 2001, terrorists hijacked four civilian aircraft; crashed two of them into the towers of the World Trade Center in New York City; and crashed the third into the Pentagon outside Washington, DC;

Whereas the fourth hijacked plane, United Airlines Flight 93, crashed in Somerset County, Pennsylvania, near the town of Shanksville, after the passengers and crew of that flight struggled with the terrorist-hijackers to take back control of the plane, ultimately preventing the flight from reaching its likely destination in Washington, DC;

Whereas the heroic actions of the rescue workers, volunteers, Federal, State and local officials who responded to the attacks with courage, determination, and skill is to be commended;

Whereas thousands of innocent Americans, and civilians from many other countries, were killed and injured as a result of these attacks;

Whereas Congress declared, in the aftermath of the attacks, September 12, 2001 to be a National Day of Unity and Mourning;

Whereas there has not been a terrorist attack on the United States homeland since the terrorist attacks five years ago; but al Qaeda has perpetrated terrorist attacks throughout the world against U.S. persons, facilities, and interests, as well as U.S. allies during that time; Now, therefore, be it

Resolved, That the Senate:

(1) commemorates the life of each individual who died as a result of the attacks of September 11, 2001;

(2) extends its deepest condolences to the victims of these attacks, as well as to their families, friends, and loved ones;

(3) once again condemns in the strongest possible terms the attacks, the terrorists who perpetrated them, and their sponsors;

(4) commits to support the necessary steps to interdict and defeat terrorists who plot to do harm to the American people;

(5) recommit itself and the nation to bringing to justice the perpetrators of the attacks, along with their sponsors;

(6) honors and expresses its gratitude to members of its Armed Forces, law enforcement personnel, first responders, members of intelligence community and others who have bravely and faithfully participated in the War on Terrorism since September 11, 2001;

(7) declares September 11, 2006, to be a National Day of Remembrance, in commemoration of the terrorist attacks against the United States on September 11, 2001; and

(8) declares that when the Senate adjourns today, it stand adjourned as a further mark of respect to each individual who died as a result of the attacks of September 11, 2001.